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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,274	12/09/2003	Martin Sawicki	60001.287US01	4979

27488 7590 05/15/2007

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EXAMINER	
RIES, LAURIE ANNE	
ART UNIT	**PAPER NUMBER**
2176	

MAIL DATE	DELIVERY MODE
05/15/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/731,274	SAWICKI ET AL.	
	Examiner	Art Unit	
	Laurie Ries	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 March 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6,10-16 and 19-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6,10-16 and 19-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Amendment, filed 14 March 2007, to the Original Application, filed 9 December 2003.

2. The rejection of claims 1, 10, and 19 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 12, and 23 of co-pending U.S. Patent Application No. 10/730,530; claims 1, 11, and 19 of co-pending U.S. Patent Application No. 10/730,301; claims 1, 8, and 15 of co-pending U.S. Patent Application No. 10/727,299; and, claims 1, 9, and 15 of co-pending U.S. Patent Application No. 10/726,954 has been withdrawn.

3. The rejection of claims 1-6, and 9 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter has been withdrawn as necessitated by amendment.

4. The rejection of claims 1, 6-10, 15-19, and 25-28 under 35 U.S.C. 102(b) as being clearly anticipated by DeRose, et al. (U.S. Patent 5,557,722, issued September 17, 1996) [hereinafter "DeRose") has been withdrawn as necessitated by amendment, however, a new grounds of rejection has been added under 35 U.S.C. 103(a).

5. The rejection of claims 2, 3, 11, 12, 21, and 22 under 35 U.S.C. 103(a) as being unpatentable over DeRose as applied to claim 1 above, and further in view of Ayers, L., "AbiWord's Potential," Linux Gazette, Issue 43, July 1999, downloaded by the Examiner on December 20, 2005, from: www.linuxgazette.com/issue43/ayers.html, downloaded pages 1-4, [hereinafter "Ayers"] has been withdrawn as necessitated by amendment, however, a new grounds of rejection has been added under 35 U.S.C. 103(a).

6. The rejection of claims 4, 5, 13, 14, 23, and 24 under 35 U.S.C. 103(a) as being unpatentable over DeRose as applied to claim 1 above, and further in view of Takata, et al. (U.S. Patent 6,119,136, issued September 12, 2000) [hereinafter "Takata"] has been withdrawn as necessitated by amendment, however, a new grounds of rejection has been added under 35 U.S.C. 103(a).

7. Claims 1-6, 10-16, and 19-26 are pending. Claims 7-9, 17-18, and 27-28 have been cancelled. Claims 1, 10, and 19 are independent claims.

Terminal Disclaimer

8. The terminal disclaimer filed on 14 March 2007 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent Application Serial No. 10/730,530, filed on December 8, 2003, U.S. Patent Application Serial No. 10/730,301, filed on December 8, 2003, U.S. Patent Application Serial No. 10/727,299, filed on December 3, 2003, and U.S. Patent Application Serial No. 10/726,954, filed on December 3, 2003, has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claims Rejection – 35 U.S.C. 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. **Claims 1, 6-10, 15-19, and 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeRose, et al. (U.S. Patent 5,557,722, issued September 17, 1996) [hereinafter "DeRose") in view of Daniel (U.S. Publication 2003/0163784 A1, filed December 12, 2002, and claiming priority from U.S. Provisional Application 60/339,301, filed December 12, 2001).**

Regarding **independent claim 1, as amended**, DeRose teaches:

> *A computer storage medium having computer-executable components, comprising:*
>
> *a first component that is arranged to edit an electronic document having editable objects;*

(See, DeRose, col. 7, line 15 through col. 30, line 18, teaching editing electronic documents.)

> *a second component that is arranged to define a first location for the start of an editable object region for which a level of editing permission for a specific user is desired and to define a second location for the end of the*

editable object region;

(See, DeRose, col. 7, line 15 through col. 12, line 9, teaching a first location ("start tags") for an object region ("text chunks."). See also, DeRose, col. 8, line 61 through col. 9, line 9, teaching editing permission as "security for the document.")

a third component that is arranged to associate a user identifier for the specific user with the text region that is defined by the first and second locations;

(See, DeRose, col. 12, line 10 through col. 13, line 16, teaching a second location ("end tags") for the text region ("text chunks"). DeRose teaches a style sheet as the third component that associates a user identifier with the text region or text chunk. See, DeRose, col. 19, lines 34-36.)

and a fourth component that is arranged to encode in an ML format in the electronic document, a first element that defines the first location, and a second element that defines the second location, wherein the first or second element further comprises the user identifier.

(See, DeRose, col. 7, line 15 through col. 30, line 18, teaching the use of Standard Generalized Markup Language (SGML) as the markup language (ML) to encode the electronic document defined by the first and second locations (start and end tags).)

a fifth component that is arranged to output an ML file that includes the ML-encoded electronic document and the first and second elements

(See DeRose, Col. 15, lines 37-63, teaching rendering an ML file).

DeRose does not teach expressly *a level of editing permission indicated by a*

unique identifier and where the user identifier indicates the specific user having the level of editing permission indicated by the unique identifier.

Daniel teaches a user identifier that may include identifying the appropriate rights and permissions for valid users including access to only certain content (See Daniel, Page 10, paragraph 0093).

DeRose and Daniel are analogous art because they are from the same field of endeavor of markup language manipulation of electronic documents.

At the time of the invention it would have been obvious to one of ordinary skill in the art to include the user identifier identifying permission levels of Daniel with the document editing system and method of DeRose. The motivation for doing so would have been to restrict access to various portions of the document to only users having specific rights to access the data, thereby protecting the validity of data that should only be edited or manipulated by specified users. Therefore, it would have been obvious to combine Daniel with DeRose for the benefit of restricting access to various portions of the document to only users having specific rights to access the data, thereby protecting the validity of data that should only be edited or manipulated by specified users, to obtain the invention as specified in claim 1.

Regarding **dependent claim 6**, DeRose in view of Daniel teaches:

> *The computer-readable medium of Claim 1, wherein the first and second elements are imbedded in the ML-encoded electronic document at the first*

and second locations respectively.

(See, DeRose, col. 7, line 15 through col. 24, line 51, teaching the first and second elements embodies as "start tags" and "end tags.")

Regarding **dependent claim 7**, DeRose in view of Daniel teaches:

The computer-readable medium of Claim 1, further comprising a fifth component that is arranged to output an ML file that comprises the ML-encoded electronic document and the first and second elements.

(See, DeRose, figures 4 and 12-14, and col. 7, lines 15-39, teaching output devices enabled by the invention including display monitors and printers.)

Regarding **dependent claim 8**, DeRose in view of Daniel teaches:

The computer-readable medium of Claim 7, wherein the first element and the second element comprise a unique identifier by which the first and the second element are associated having a one-to-one correspondence.

(See, DeRose, col. 10, line 57 through col. 11, line 7, teaching tag attributes including corresponding start and end tags and locations. See also, DeRose, col. 9, lines 6-9, teaching tag attributes including security designations.)

Regarding **dependent claim 9**, DeRose in view of Daniel teaches:

The computer-readable medium of claim 1, wherein the unique identifier is encoded with a level of editing permission that is to be panted to the

specific user identified by the user identifier.

(See, DeRose, col. 9, lines 6-9, teaching tag attributes including security designations.)

Regarding **independent claims 10 and 19, as amended**:

Claims 10 and 19 incorporate substantially similar subject matter as claimed in claim 1 and are rejected along the same rationale.

Regarding dependent **claims 15 and 25**:

Claims 15 and 25 incorporate substantially similar subject matter as claimed in claim 6 and are rejected along the same rationale.

Regarding dependent **claims 16 and 26**:

Claims 16 and 26 incorporate substantially similar subject matter as claimed in claim 7 and are rejected along the same rationale.

Regarding dependent **claims 17 and 27**:

Claims 17 and 27 incorporate substantially similar subject matter as claimed in claim 8 and are rejected along the same rationale.

Regarding dependent **claims 18 and 28**:

Claims 18 and 28 incorporate substantially similar subject matter as claimed in claim 9 and are rejected along the same rationale.

10. **Claims 2, 3, 11, 12, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeRose in view of Daniel as applied to claim 1 above, and further in view of Ayers, L., "AbiWord's Potential," Linux Gazette, Issue 43, July 1999, downloaded by the Examiner on December 20, 2005, from: www.linuxgazette.com/issue43/ayers.html, downloaded pages 1-4, [hereinafter "Ayers"].**

Regarding **dependent claim 2**, DeRose and Daniel in view of Ayers teaches:

> *The computer-readable medium of claim 1, wherein the electronic document is a word-processor document.*

(DeRose teaches the limitations of claim 1, but does not expressly teach the use of the invention in a markup language based word processor.

Ayers teaches the XML based word processor "AbiWord."

DeRose, Daniel, and Ayers are combinable because they both involve the same art of markup language manipulation of electronic documents.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of DeRose and Daniel with Ayers for the obvious and beneficial advantage of delimiting sections of text in a word processing environment with access limitations.

The suggestion for doing so would have been from the fact that DeRose recognizes the connection between a word processor for the creation of an electronic document for use with the markup language invention. See, DeRose, col. 8, lines 26-37, teaching that the markup language of the invention may use a word processor. Starting with a word processor to produce the markup language initially is an obvious and logical savings of one step in the invention process.

Therefore, it would have been obvious to combine DeRose and Daniel with Ayers to obtain the invention as specified in claim 2.

Regarding **dependent claim 3**, DeRose and Daniel in view of Ayers teaches:

> *The computer-readable medium of Claim 2, wherein the editable objects comprise one of paragraphs, characters, tables, images, rows, cells, columns, text, and objects native to the application.*

(The rejection of claim 2 is incorporated by this reference. In addition, see, DeRose, teaching the editable objects of text, etc. as "text chunks.")

Regarding **dependent claims 11 and 21**:

> Claims 11 and 21 incorporate substantially similar subject matter as claimed in claim 2 and are rejected along the same rationale.

Regarding **dependent claims 12 and 22**:

Claims 12 and 22 incorporate substantially similar subject matter as claimed in claim 3 and are rejected along the same rationale.

Regarding **dependent claim 20**, DeRose and Daniel in view of Ayers teaches:

The system of claim 19, wherein the electronic document is stored in a proprietary format.

(It is noted that the limitation of storing the electronic document in a "proprietary format" is not expressly defined or taught in the specification, which describes the limitation within the context of an unclaimed "editor process," stating: "The document can be stored in a proprietary format of the editor process." See, disclosure, page 12, lines 4-5.

The claimed limitation term "proprietary format" is read as being consistent with the disclosed term "proprietary format of the editor process." The Examiner understands the claim term to mean that which what was known to one of ordinary skill in the art at the time of the invention as "A program owned or copyrighted by an individual or a business and available for use only through purchase or by permission of the owner." See, "Microsoft Computer Dictionary," Fifth Edition, Microsoft Press, 2002, definition of "proprietary software." The claim limitation "proprietary format" will be defined as stated above for the remainder of this Office Action.

The Examiner takes official notice of the fact that electronic documents, including markup language electronic documents, were, at the time of the invention, stored within programs of a proprietary format, such as within commercially available programs. An

example of such commercial proprietary software program being AbiWord, as described and discussed in Ayers. It would have been obvious to one of ordinary skill in the art at the time of the invention to store the electronic document within a commercially available proprietary software format, for the purposes of ordinary document storage, later retrieval, sale, distribution, transportation, etc.

11. **Claims 4, 5, 13, 14, 23, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeRose in view of Daniel as applied to claim 1 above, and further in view of Takata, et al. (U.S. Patent 6,119,136, issued September 12, 2000) [hereinafter "Takata"].**

Regarding **dependent claim 4**, DeRose and Daniel in view of Takata teaches:

> *The computer-readable medium of Claim 1, wherein the electronic document is a spreadsheet document.*

(DeRose teaches the limitations of claim 1, but does not expressly teach the use of the invention in a spreadsheet document.

Takata teaches the use of a spreadsheet for creating a markup language (HTML) document.

DeRose, Daniel and Takata are combinable because they both involve the same art of markup language manipulation of electronic documents.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have combined the teachings of DeRose and Daniel with Takata for the obvious and beneficial advantage of delimiting sections of an electronic document with access limitations.

The suggestion for doing so would have been from the fact that DeRose recognizes the connection between a word processor for the creation of an electronic document for use with the markup language invention. See, DeRose, col. 8, lines 26-37, teaching that the markup language of the invention may use a text editor. Takata teaches the use of a spreadsheet as a text editor. See, Takata, col. 1, line 66 through col. 4, line 37.

Therefore, it would have been obvious to combine DeRose with Takata to obtain the invention as specified in claim 4.

Regarding **dependent claim 5**, DeRose and Daniel in view of Takata teaches:

> *The computer-readable medium of claim 4, wherein the editable objects are cells.*

(The rejection of claim 4 is incorporated by this reference. In addition, see, Takata, col. 1, line 66 through col. 3, line 45.)

Regarding **dependent claims 13 and 23**:

> Claims 13 and 23 incorporate substantially similar subject matter as claimed in claim 4 and are rejected along the same rationale.

Regarding **dependent claims 14 and 24**:

Claims 11 and 21 incorporate substantially similar subject matter as claimed in claim 5 and are rejected along the same rationale.

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Response to Arguments

12. Applicant's arguments with respect to claims 1-6, 10-16, and 19-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is (571) 272-4095. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136.

15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LR

William L. Bashore

WILLIAM BASHORE
PRIMARY EXAMINER